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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,607

05/17/2005

Steen Nielsen

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7590

06/26/2006

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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EXAMINER

NICHOLSON III, LESLIE AUGUST

ART UNIT

PAPER NUMBER

3651

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/516,607

Applicant(s)

NIELSEN, STEEN

Examiner

Leslie A. Nicholson III

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 10 is/are rejected.
- 7) ☒ Claim(s) 4-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/24/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

This application does not contain an abstract of the disclosure on a separate sheet as required by 37 CFR 1.72(b).

The abstract of the disclosure is objected to because it is not within a range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. See MPEP 608.01(b).

The disclosure is objected to because, as provided in 37 CFR 1.77(b), each of the section headings should appear in upper case, without underlining or bold type.

Appropriate correction is required.

Claim Objections

2. Claims 4,5,6,7,8,9 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, claims 4,5,6,7,8,9 have not been further treated on the merits.

Claims 1,10 are objected to because, as provided in 37 CFR 1.75(i), each element or step of the claim should be separated by a line indentation.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "said guide means" in line 10 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,2,3,10 are rejected under 35 U.S.C. 102(b) as being anticipated by
Bucher USP 3,455,447.

Bucher discloses a similar device comprising:

- a conveyor, in front of the conveyor, there is configured a boom (29) extending transversally of the direction of conveyance of the conveyor
- the boom comprises a boom conveyor in the longitudinal direction of the boom
(see figures)

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- at least from the one end of the boom, where, at the end of the boom, means are configured for transferring the piece of cloth from a feed conveyor (25) to the boom (fig.2)
- likewise at the end of the boom, a feed conveyor (45) is arranged with a feeding position and with conveyor means for conveying pieces of cloth
- characterized in that the feeding position is located in a position situated in front of the boom, seen in the direction of conveyance of the conveyor; and that the means for transferring the piece of cloth from the feed conveyor to the boom conveyor are configured such that they are able to turn the piece of cloth in an area between the feed conveyor and the boom conveyor (fig.2)
- a feeder conveyor is located at both ends of the boom (see figures)
- the feed positions are located between the ends of the boom (see figures)

7. Claims 1,2,3,10 are rejected under 35 U.S.C. 102(b) as being anticipated by Reget USP 2,640,444.

Reget discloses a similar device comprising:

- a conveyor, in front of the conveyor, there is configured a boom (156) extending transversally of the direction of conveyance of the conveyor
- the boom comprises a boom conveyor in the longitudinal direction of the boom (fig.29)

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- at least from the one end of the boom, where, at the end of the boom, means are configured for transferring the piece of cloth from a feed conveyor (159) to the boom
- likewise at the end of the boom, a feed conveyor (164) is arranged with a feeding position and with conveyor means for conveying pieces of cloth
- characterized in that the feeding position is located in a position situated in front of the boom, seen in the direction of conveyance of the conveyor; and that the means for transferring the piece of cloth from the feed conveyor to the boom conveyor are configured such that they are able to turn the piece of cloth in an area between the feed conveyor and the boom conveyor (fig.29)
- a feeder conveyor is located at both ends of the boom (fig.29)
- the feed positions are located between the ends of the boom (fig.29)

8. Claims 1,2,3,10 are rejected under 35 U.S.C. 102(b) as being anticipated by Peirce USP 1,445,797.

Peirce discloses a similar device comprising:

- a conveyor, in front of the conveyor, there is configured a boom (2) extending transversally of the direction of conveyance of the conveyor
- the boom comprises a boom conveyor in the longitudinal direction of the boom (fig.2)

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- at least from the one end of the boom, where, at the end of the boom, means are configured for transferring the piece of cloth from a feed conveyor (87) to the boom
- likewise at the end of the boom, a feed conveyor (87) is arranged with a feeding position and with conveyor means for conveying pieces of cloth (fig.2)
- characterized in that the feeding position is located in a position situated in front of the boom, seen in the direction of conveyance of the conveyor; and that the means for transferring the piece of cloth from the feed conveyor to the boom conveyor are configured such that they are able to turn the piece of cloth in an area between the feed conveyor and the boom conveyor (fig.2)
- a feeder conveyor is located at both ends of the boom (fig.2)
- the feed positions are located between the ends of the boom (fig.2)

9. Claims 1,2,3,10 are rejected under 35 U.S.C. 102(b) as being anticipated by Scovell USP 826,066.

Scovell discloses a similar device comprising:

- a conveyor, in front of the conveyor, there is configured a boom (2) extending transversally of the direction of conveyance of the conveyor
- the boom comprises a boom conveyor in the longitudinal direction of the boom (fig.1,2)

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- at least from the one end of the boom, where, at the end of the boom, means are configured for transferring the piece of cloth from a feed conveyor (3) to the boom
- likewise at the end of the boom, a feed conveyor (4) is arranged with a feeding position and with conveyor means for conveying pieces of cloth (fig.1,2)
- characterized in that the feeding position is located in a position situated in front of the boom, seen in the direction of conveyance of the conveyor; and that the means for transferring the piece of cloth from the feed conveyor to the boom conveyor are configured such that they are able to turn the piece of cloth in an area between the feed conveyor and the boom conveyor (fig.2)
- a feeder conveyor is located at both ends of the boom (fig.1,2)
- the feed positions are located between the ends of the boom (fig.1,2)

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie A. Nicholson III whose telephone number is 571-272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L.N.
6/20/2006


GENE C. HANFORD
SUPERVISORY PATENT EXAMINER